

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on August 22, 2006, and the references cited therewith.

Claims 1-3, 5 and 9 have been amended, no claims have been canceled, or added; as a result, claims 1-12 are now pending in this application.

Applicant respectfully submits that the amendments to claims 1-3, 5 and 9 do not introduce any new subject matter and fully supported by the originally filed specification.

§ 112 Rejection of the Claims

Claims 1, 2, 5 and 9 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 1, 2, 5 and 9 to more clearly recite the claimed subject matter.

Claims 1, 5 and 9 were rejected under 35 USC § 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. Applicant has amended claims 1, 5 and 9 to more clearly recite the claimed subject matter.

Applicant respectfully requests reconsideration and withdrawal of the 112 rejection of claims 1, 2 5, and 9.

§ 102 Rejection of the Claims

Claims 1-3, 5-7 and 9-11 were rejected under 35 USC § 102(b) as being anticipated by Spivey et al (U.S. Patent No. 5,886,353). Applicant has amended independent claims 1, 5 and 9. Insofar as the rejection applies to the amended claims, Applicant respectfully traverses the rejection as follows.

With regard to independent claims 1 and 9, the Examiner cites the Spivey reference as describing, “wherein for the at least one of said pixels (defective pixels) an associated offset value equals an associated gain value during the imaging operation”. (Sections 4 and 10 of the August 22, 2006, Office Action). The reference

states, “The multiplexed analog signals are modified using software programmable voltage gain and offset amplifiers in order to optimize the input of the analog-to-digital converters.” (Col. 13, lines 59-61). As such, Spivey appears to describe utilizing programmable voltage gain and offset amplifiers to optimize the input of the analog-to-digital converters. The reference does not show that for at least one of the pixels an associated offset value and an associated gain value are purposefully set to a highest value for a number of bits supported by the system.

In contrast, independent claims 1 and 9 recite, “an associated offset value and an associated gain value purposefully set to a highest value for a number of bits supported by the system such that the pixel data associated therewith is not a function of a signal from the respective sensor during the imaging operation but a function of one or more signals from neighboring sensors during the imaging operation.” The above cited section of the Spivey reference is the only instance in the specification and claims of the Spivey reference that correlates voltage gain and offset amplifiers. There are no occurrences in the Spivey reference whereby an offset value and a gain value are correlated.

In addition, independent claim 5 recites, “an associated offset value and an associated gain value purposefully set to a highest value for a number of bits supported by the system such that the pixel data associated with the bad sensor is not a function of the signal provided by that bad sensor during the imaging operation but is a function of at least one signal provided by a neighboring good sensor during the imaging operation.”

As such, Applicant respectfully submits that each and every element and limitation of independent claims 1, 5, and 9 is not present in the Spivey reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 102 rejection of independent claims 1, 5, and 9, as well as those claims that depend therefrom.

Allowable Subject Matter

Claims 4, 8, and 12 were objected to as being dependent upon a rejected base claims, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant gratefully acknowledges that the Examiner indicated claims 4, 8, and 12 contain allowable subject matter.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Gregg W. Wisdom at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 17th day of November 2006.

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